

# Court of Appeals, State of Michigan

## ORDER

Estate of Walid Tabbarah v Garden City Hospital

Docket No. 357079

LC No. 19-015621-NH

Karen M. Fort Hood  
Presiding Judge

Christopher M. Murray

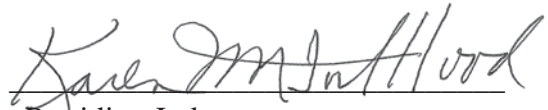
Cynthia Diane Stephens  
Judges

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The motion for immediate consideration is GRANTED.

The motion for peremptory reversal under MCR 7.211 (C)(4) is GRANTED, and the March 3, 2021, order granting defendants' motion for a protective is REVERSED. MCR 2.315(A) allows for the "simultaneous audio and visual electronic recording" of depositions "without leave of the court or stipulation of the parties" if the party seeking to depose the witness complies with MCR 2.315 (C). A party seeking a protective order under MCR 2.302 (C) must establish good cause for the issuance of the protective order. *Arabo v Mich Gaming Control Bd*, 310 Mich App 370, 398; 872 NW2d 223 (2015). Defendants failed to establish good cause for the issuance of the protective order because their arguments in support of the protective order are speculative and/or unfounded and do not amount to "good cause" under MCR 2.315(A). If plaintiff complies with the requisites of MCR 2.315(C), he shall be permitted to audio and video record Zoom depositions and to use the depositions for any relevant purpose, including trial.

The Court retains no further jurisdiction.

  
Presiding Judge



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

June 22, 2021

Date

  
Chief Clerk